

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zev Carter	Team: Squad #3	CCRB Case #: 201903593	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 04/13/2019 7:15 PM	Location of Incident: 50th Precinct stationhouse	Precinct: 50	18 Mo. SOL 10/13/2020	EO SOL 5/30/2021	
Date/Time CV Reported Mon, 04/29/2019 8:48 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/29/2019 8:48 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Michael Hennelly	01264	916971	050 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Dennison Durgadeen	05035	934805	050 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Michael Hennelly	Abuse: Sergeant Michael Hennelly did not process § 87(2)(b) s complaint regarding an officer.	

Case Summary

On April 29, 2019, § 87(2)(b) filed this complaint with the CCRB over the phone.

On April 13, 2019, at approximately 7:15 p.m., § 87(2)(b) was issued a summons for § 87(2)(b) by Police Officer Dennison Durgadeen of the 50th Precinct. § 87(2)(b) immediately drove to the 50th Precinct stationhouse. There, Sgt. Hennelly provided the CCRB's contact information to § 87(2)(b) without filing his complaint (**Allegation A: Abuse of Authority**, § 87(2)(g)).

This case does not contain video evidence. § 87(2)(g)

Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant Michael Hennelly did not process § 87(2)(b) complaint regarding an officer.

§ 87(2)(b) stated that on April 13, 2019, at approximately 7:15 p.m., near the intersection of Broadway and West 228th Street in the Bronx, he was stopped by PO Durgadeen and issued a summons for § 87(2)(b) (**01 Board Review**). § 87(2)(b) denied making this violation, and believed that he had been the victim of racial profiling. § 87(2)(b) immediately drove to the 50th Precinct stationhouse in order to file a complaint against PO Durgadeen.

§ 87(2)(b) stated that inside of the stationhouse, he spoke briefly to a desk sergeant who directed him to a Police Administrative Aide (PAA). Sgt. Hennelly approached § 87(2)(b) and began a conversation. He told § 87(2)(b) "I know all about it," and said that PO Durgadeen had already informed him about his complaint. Sgt. Hennelly leaned over the desk and began writing on the back of § 87(2)(b) traffic summons. He wrote the CCRB's phone number, his own name, and PO Durgadeen's name on a piece of paper and circled PO Durgadeen's name and tax ID number on the summons. § 87(2)(b) stated that Sgt. Hennelly informed him that he needed to file a complaint with the CCRB online. § 87(2)(b) told Sgt. Hennelly that he was "computer illiterate." Sgt. Hennelly told § 87(2)(b) that he could file a complaint by calling the CCRB on the phone. § 87(2)(b) left the stationhouse with the intention of filing a complaint.

Sgt. Hennelly stated that he was doing administrative work in the 50th Precinct stationhouse on the date of the incident (**02 Board Review**). He left his office to see that § 87(2)(b) was inside of the stationhouse and was upset that he had received a summons. Sgt. Hennelly approached § 87(2)(b) and learned the details of his complaint against PO Durgadeen. Sgt. Hennelly stated that he explained the procedure of filing a complaint against PO Durgadeen and challenging the summons in traffic court. He told § 87(2)(b) that it was his decision to file a complaint. Sgt. Hennelly also explained that complaints against his officers help him monitor and evaluate their performance. § 87(2)(b) was adamant that he had not committed a moving violation, but was apprehensive about the prospect that his complaint might end in disciplinary action against PO

Durgadeen. Sgt. Hennelly wrote down his contact information, as well as that of the CCRB. § 87(2)(b) stated that he would think about his options and take care of the complaint on his own.

The piece of paper and summons that Sgt. Hennelly wrote on can be viewed in **03 Board Review**.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party.
- Sgt. Hennelly has been a member of service for 24 years and has been a subject in three CCRB complaints and four allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of July 12, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this incident (**04 Board Review**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date